IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 632 of 1997

Between:

1. The A.P.D.D.C.F. Godavari Milk Mandalam Branch,

National workers & Staff Union, R.No.B.790, Rajahmundry,

East Godavari District. Rep.by its President

Paruchuri Venkateswara Rao, S/o.Venkata Krishnaiah,

Aged 48 years,

2. The A.P.D.D.C.F. National Workers & Staff Union

R.No.B.790 Godavari Milk Mandalam Branch Rajahmundry,

East Godavari District. Rep.by its General Secretary

Siddabathula Sudershana Rao, S/o. Subba Rao, aged 46 years,

..... PETITIONERS

AND

1. Government of A.P., rep.by its Secretary,

Animal Husbandry & Fisheries (Dairy)Department,

Secretariat, Hyderabad.

2. Milk Commissioner & Registrar of Coop.Societies

for Milk, A.P. Dairy Development Coop. Federation Ltd.,

Lalapet, Hyderabad.

3. Managing Director, A.P. Dairy Dev. Coop.Federation Ltd.,

Lalapet, Hyderabad.

4. Special Cadre Deputy Registrar of Coop.Societies(Milk),

O/o.the A.P.Dairy Development Coop.Federation Ltd.,

Lalapet, Hyderabad.

5. Collector, East Godavari District person-in-charge,

Godavari Coop.Milk Producers Union Ltd., Rajahmundry,

East Godavari Dist.

6. General Manager, Godavari Coop.Milk Producers Union Ltd.,

Rajahmundry, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly in the nature of Writ of Mandamus declaring the action of the 1st to 4th respondents herein in not arranging payment of arrears amount of Rs.75.58 lakhs payable up to 28-02-1996 towards pay Revision arrears, D.A. Arrears, Staff salary recoveried payable to others, Pension contribution, Gratuity and pension relief on par with the employees of the A.P.Dairy Development Cooperative Federation Limited, Hyderabad and further amounts due up to

30-11-1996 as unjust, discriminatory, against all cannons of fair play besides being violative of the assurances given by the Government through G.O.Ms.No.551, dated 20-12-1980, G.O.MS.NO.134,dated 23-3-1981 and the circular No.10663.I.R.3.89, dated 20-11-1991 of the Managing Director of the A.P. Dairy Development Cooperative Federation Limited, Hyderabad apart from being violative of the Articles 14, 16 and 21 of the Constitution of India, with Directions to the 1st to 3rd Respondents herein to place the required amount at the disposal of the 5th and 6th Respondents herein for disbursing the same to the 224 employees/members of the A.P. Dairy Development Coop.Federation National workers and Staff Union, Godavari Milk Mandalam Branch, Rajahmundry, East Godavari District.

Counsel for the Petitioner:MR.D.V.BHADRAM

Counsel for the Respondent No.1: GP FOR FISHERIES.

Counsel for the R3 : Mr.N. Rajeswara Rao, Advocate.

The Court made the following ORDER:

It is represented by Mr. N. Rajeswara Rao, the learned Counsel appearing for respondent No.3 that the cause of action for which the petition is filed does not survive.

In that view of the matter, the Writ Petition is dismissed as having become in fructuous. No costs.

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S. Ananda Reddy, J.

Dt: 21…7…2004.

To

1. The Secretary, Government of A.P.,

Animal Husbandry & Fisheries (Dairy) Department,

Secretariat, Hyderabad.

2. The Collector, East Godavari District Person-in-charge,

Godavari Coop.Milk Producers Union Ltd., Rajahmundry,

East Godavari District.

3. Managing Director, A.P. Dairy Dev. Coop.Federation Ltd.,

Lalapet, Hyderabad.

4. Special Cadre Deputy Registrar of Coop.Societies(Milk),

O/o.the A.P.Dairy Development Coop.Federation Ltd.,

Lalapet, Hyderabad.

5. Collector, East Godavari District person-in-charge,

Godavari Coop.Milk Producers Union Ltd., Rajahmundry,

East Godavari Dist.

6. General Manager, Godavari Coop.Milk Producers Union Ltd.,

Rajahmundry, East Godavari District.

7. Two CCs to Government Pleader for Fisheries,

High Court of A.P., Hyderabad. (OUT).

8. Two CD copies.

RNS/KVH

THE HONOURABLE SRI JUSTICE S. ANANDA REDDY

WRIT PETITION NO. 632 OF 1997

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ORAL ORDER

DATED:21…07…2004.